

Elkhart General HOSPITAL

P.O. Box 1329 Elkhart, IN 46515 telephone (219) 294-2621

four
pages

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January 19, 1989

RECEIVED
JAN 23 1989

Ms. Susan Swales (5HS-11)
Waste Management Division
U.S. EPA - Region V
230 South Dearborn Street
Chicago, Illinois 60604

SUPERFUND PROGRAM
MANAGEMENT BRANCH

Dear Ms. Swales:

This document is intended to serve as Elkhart General Hospital's formal response to the United States Environmental Protection Agency's request for information related to the investigation of the Himco Landfill site in Elkhart, Indiana. Please be assured that all items contained herein represent as accurate and thorough a response as our internal documents, record keeping and/or recollection allows. Please note that all responses are listed in the same sequence in which they were posed.

1. Provide a description of your business, including:

a) type of work performed at your facility;

°Elkhart General Hospital is a 360 bed, acute care, non-profit provider of health care services.

b) manufacturing processes;

°None

c) wastes generated;

°Various types of waste are generated at the hospital, including: general office, patient care, infectious, needles and sharps, blood and body fluids, pharmacy, chemotherapy, chemical and radioactive.

d) waste disposal practices;

°Presently, the hospital utilizes the following means of disposing various types of wastes:

- general office - landfill (via Himco compactor)
- patient care - landfill (via Himco compactor)
- infectious - contracted via licensed, hazardous waste removal company
- needles - contracted via licensed, hazardous waste removal company
- blood and body fluids - sanitary sewer system
- pharmacy - sanitary sewer system
- chemotherapy - contracted via licensed hazardous waste removal company
- chemicals - 1) lab-reagents contracted via licensed, hazardous removal company
2) cleaning-housekeeping agents sanitary sewer system
- radio-active - contracted via licensed hazardous waste removal company

e) SIC number

°Unknown

2. Provide a list of all companies and individuals with which you made arrangements to dispose of hazardous wastes.

- a) Precision Energy Systems, Inc.
1040 N. Main St.
Lombard, Illinois 60148
(312) 916-1661
- b) Winfield Corporation
9750 Distribution Avenue
San Diego, California 92121
(619) 271-4861

- c) South Bend Medical Foundation, Inc.
N. Lafayette Blvd.
South Bend, Indiana
(219) 234-2273
- d) Medi-Physics/Cintichem, Inc
Long Meadow Road
Tuxedo, N.Y.
- e) Berreth Oil, Inc.
1301 W. 6th St.
Mishawaka, IN 46544
(219) 255-1255

3. Did you ever make arrangements for disposal of waste materials with Himco, Inc. or Himco Waste-Away or any other company to dispose of waste at the site?

°A review of hospital records indicates that a Purchase Order (#02005) was issued by EGH to Himco Waste-Away Services, Inc. on May 25, 1972. Specific details are not available as to the location of the Himco Waste-Away dump site or the types of waste to be removed. (please see Attachment 1)

4. Provide copies of all shipping documents, or other business documents including receipts, relating to the transportation, storage and/or disposal of waste materials at the above referenced site.

°Attachment #1 (previously identified) is accompanied by two letters (please see Attachments 2 and 3) from Himco Waste-Away, Inc. dated May 8, 1972 and March 6, 1975 respectively.

5. Provide the generic, common or trade name and the chemical composition and character (i.e. liquid, solid, sludge) of the materials transported to, stored and/or disposed of at the above referenced site.

°During the early and mid-1970's, the types of waste transported by Himco Waste-Away, Inc. would probably have included the following: general office, cardboard boxes, paper, patient care, needles and sharps, and infectious; although hospital records are inconclusive to confirm this.

6. For each waste material identified above, please give the total volume in gallons for liquids and in cubic

yards for solids, for which you arranged disposal and list the dates when disposal occurred.

°In reviewing the 1972 purchase order (Attachment 1), the hospital arranged to have the 22 cubic yard storage container picked-up three times per week.

7. Provide copies of all records, including analytical results, and material safety sheets, which indicate the chemical composition and/or chemical character of the waste material(s) transported to, stored, or disposed of at the above referenced site.

°Hospital records are simply inconclusive/inadequate to ascertain if any bulk chemicals were disposed of at the Himco Waste-Away site.

8. Provide a list and description of all liability insurance coverage that is or was carried by you, including any self-insurance provisions that relate to hazardous substances and/or the facility identified above.

°Attachment 4 provides a comprehensive list of all such insurance coverages.

I trust this information will be helpful to the EPA; please contact me with any comments or questions you may have regarding the information contained herein.

Sincerely,



Kevin P. Britt
Vice President/Operations

KPB:nme
attachs.

Anita M. Peterson, notary

Jan 20, 1989

ANITA M. PETERSON
NOTARY PUBLIC, STATE OF INDIANA
ELKHART COUNTY
My Commission Expires December 1, 1992
Issued thru Indiana Notary Assoc.

EPA - REGION V
SUPERFUND DOCUMENT MANAGEMENT SYSTEM
(SDMS)
ENFORCEMENT CONFIDENTIAL INFORMATION

The material listed below is deemed enforcement confidential and has been redacted. Authorized staff may contact the EPA Region V Records Center for information on viewing this material. Approval for release of enforcement confidential material is granted by the Office of Regional Counsel.

SITE NAME	HIMCO DUMP
PHASE ACTIVITY	PRP/ENFORCEMENT
PRP AFFILIATION	ELKHART GEN HOSPITAL
DOCUMENT DATE(S)	01-12-1988
DOCUMENT TYPE	LIST OF POLICIES
IS THIS DOCUMENT PART OF ANOTHER DOCUMENT?	YES; 104(E) RESPONSE

PURCHASE ORDER
 No. **102005**
 MUST APPEAR ON ALL
 PAPERS AND PACKAGES

PURCHASE ORDER
ELKHART GENERAL HOSPITAL

Phone (219) 294-2621
 P.O. Box 1329 Elkhart, Indiana 46514

Route Via:

Date Required:

TO: **Himco Waste-Away Service, Inc.**
707 N. Wildwood Ave.
Elkhart, Indiana 46514

SHIP TO: **RECEIVING DEPARTMENT**
Elkhart General Hospital
600 East Blvd.
Elkhart, Indiana 46514

ORDER DATE 5/25/72	TERMS	SHIP VIA	F.O.B. POINT
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Qty. Ordered	Mfr's. No.	Description	Hospital No.	Price
		<p>Himco will provide one 4852-2 Compactor to be installed per specifications in proposal dated May 8, 1972.</p> <p>Himco to service for a period of 48 months. We to pay \$512.00 per month for three pick-up per week. Extra pick-ups \$30.50 per load.</p> <p>SIGN & RETURN TO ELKHART GENERAL HOSPITAL</p> <p>ACKNOWLEDGEMENT</p> <p>RETURN PROMPTLY</p>		

WILL SHIP COMPLETE PARTIAL *Week of July 1-5 1972*
 DATE
 VENDOR *Himco Waste-Away Inc*
 BY *Stephen J. Harris* TITLE
 ELKHART GENERAL HOSPITAL By *[Signature]*

ATTACHEMENT 1

ATTACHEMENT 2

HIMCO WASTE-AWAY SERVICE, INC.

707 N. WILDWOOD AVENUE • ELKHART, INDIANA 46514

May 8, 1972

*20,000 lbs. waste
on proposal*

Elkhart General Hospital
600 East Boulevard
Elkhart, Indiana 46514

Att: Mr. John H. Tallmadge

Dear Mr. Tallmadge,

The following is our proposal for a means of waste removal offered by Himco Waste-Away Service, Inc. Enclosed in this proposal are brochures and specification sheets describing the system and equipment I recommend for your institution.

Based on information provided by you and Mr. Porter, and by past service experience, I propose the installation of one stationary compactor to handle the waste material from your institution. Himco would provide this equipment and full maintenance as part of our service. Please see the enclosed brochures by Himco Waste-Away Service, Inc. and Quality Compactor for a more detailed description (A).

The equipment I recommend is a stationary compactor machine with a ram chamber capacity of 1½ cubic yards, Model #4852. This machine would operate on either 230 or 460 volt, 3 phase, 60 cycle current. Single phase is available if requested. Attached to the compactor would be a 22 cubic yard storage container. Please note enclosed pictures (B).

Himco Waste-Away Service, Inc. would provide and maintain the stationary compactor, storage container, and remove three loads of waste each week for a charge of \$512.00 per month. Any additional loads removed would be charged at \$30.50 per load.

If during the term of our service agreement (48 months) with your institution the disposal areas are moved to a greater distance or the fees to use these areas are increased we would ask at that time to re-negotiate only the cost of the per load charge.



HIMCO WASTE-AWAY SERVICE, INC.

707 N. WILDWOOD AVENUE • ELKHART, INDIANA 46514

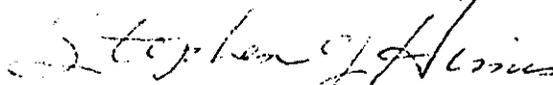
Elkhart General Hospital
May 8, 1972
Page 2

Additional expense incurred by your institution would include providing proper electrical service for the machine and a cement area (8 feet by 25 feet) for anchoring the machine. Our suggested location of the machine is outlined in the enclosed sketch (C).

I would welcome the opportunity to show you our stationary compactor locations in the Elkhart area.

Sincerely,

HIMCO WASTE-AWAY SERVICE, INC.



Stephen G. Himes

SGH/sh
enc.



W. RICHARD HERRON

ATTORNEY AT LAW

301 WEST FRANKLIN STREET

ELKHART, INDIANA 46514

August 2, 1976

TELEPHONE 294-1516
AREA CODE 2 9

Thornburg, McGill, Deahl,
Harman, Carey & Murray
Attorneys at Law
305 First National Bank Bldg.
Elkhart, Indiana 46514

Attention: Mr. John R. Harman

In Re: Wiseman & Rumfelt - Elkhart General Hospital

Dear John:

C
O
P
Y
Thank you for your letter of July 30, 1976, advocating the position that Himco is an independent contractor, disposing of waste products of Elkhart General Hospital, relieves Elkhart General Hospital of any responsibility to my clients. I must disagree with your position, and would refer you to the findings of the following cases: Scott Construction Company vs. Cobb (Ind. 1928) 159 NE 736; Stewart vs. Huff (Ind. 1938) 14 NE 2d 322; Denneau vs. Indiana & Michigan Electric Company (Ind. 1971) 277 NE 2d 8; Hale vs. Peabody Coal Company, (Ind. 1976) 343 NE 2d 310; Shannon vs. Missouri Valley Limestone Company (1963) 122 NW 2d 278.

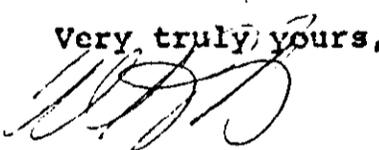
I believe you will find that these cases state that one who employs an independent contractor to do work is liable for the acts of such contractor where the work will create a nuisance. I believe that under the circumstances in this case, the hospital was disposing of dangerous hazardous waste, was familiar with where it was being dumped, and consequently is responsible.

Elkhart General Hospital will be considered a primary defendant in this case, and jointly liable with all other persons, in causing or maintaining the nuisance in question.

If you would like to discuss this matter further, will you please call me.

Thank you for your consideration.

Very truly yours,


W. Richard Herron

WRE/plg

cc: Herman Rumfelt

HIMCO

HIMCO WASTE-AWAY SERVICE, INC.

707 N. WILDWOOD AVENUE • ELKHART, INDIANA 46514

March 6, 1975

Mr. Herb Porter
Elkhart General Hospital
600 East Boulevard
Elkhart, Indiana 46514

Dear Mr. Porter,

Per your request, I have reviewed your present method of waste removal at the hospital and agree that because of the strict regulations placed on hospitals, certain facets of the disposal operation are potential problems.

During my last visit, you pointed out the following: General unsightliness of the charging hopper area during the working day, leakage of liquids around the area where the compactor and the container are connected, and spillage when the container is removed for disposal.

At the present time, you are being serviced by a Quality Compactor, model 4852-2 and a 22 cubic yard storage container. This container is removed and the contents disposed of three times a week. The charge for this service is \$512.00 per month.

Since we placed this compactor at the hospital, there has been many changes in disposal methods and equipment. One new compactor will eliminate the conditions mentioned above.

I propose the installation of a "UNIMAG 1" a self contained compactor. This compactor has a 1½ cubic yard charging area and is permanently connected to a 30 cubic yard storage container. It is more completely described in the enclosed literature and is similar to the one we visited. This compactor would have the following optional equipment: a 6" sump to contain liquids, a full seal around the rear door to prevent leakage, a special ratchet door lock to assure complete closure, a fully enclosed charging hood with a lockable door to assure safety.

Because both the compactor and the storage container are mounted on a solid steel platform, all spillage would be eliminated. Leakage would be reduced to an absolute minimum for the same reason. The fully enclosed hood would prevent anyone from noticing the loading operations even from above ground level.



Page 2 of 2.

This compactor and optional equipment can be purchased for \$7,467.00 f.o.b. Detroit, Michigan. Sales tax and installation are not included.

We would furnish the equipment listed above as part of our service for \$226.00 per month. This charge includes optional equipment, freight, all taxes, installation, and maintenance for a contracted period of 60 months.

Disposal of the compacted material would be made at the Elkhart County Landfill because of the nature of the material involved. Our charge for disposal would be \$60.00 per load and includes all fees at the disposal site. This charge is subject to change depending on any increase in disposal fees, location of disposal areas, or increases in general operating costs.

I would estimate that this container would need to be emptied 1½ to 2 times a week at a maximum. This is based on the present volume now being disposed of.

Sincerely,

HIMCO WASTE-AWAY SERVICE, INC.



Stephen G. Himes

SGH:CLH

WE CARE
WITH AN
HEART

ELKHART
INDIANA



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Fir



Kevin P. Britt

P.O. BOX 1329 • ELKHART, INDIANA • 46515

Ms. Susan Swales (5HS-11)
Waste Management Division
U.S. EPA - Region V
230 South Dearborn St.
Chicago, Illinois 60604